

ALLIA.171CPC1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schutt et al.)
)
Serial No. : 09/218,213)
)
Filed : December 22, 1998)
)
For : Stabilized Preparations For Use In)
Nebulizers)
)
Examiner : Not Assigned)
)
Group Art Unit : 1615)
)
_____)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620


App. No.: 09/218,213
Filed: December 22, 1998

Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, and Christopher A. Dayton, Registration No. 35,114 of Alliance Pharmaceutical Corp. 3040 Science Park Road, San Diego, California 92121, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

ALLIANCE PHARMACEUTICAL CORP.

Dated: March 8, 1999

By: 
Lloyd A. Rowland

Title: Secretary and General Counsel

Address: 3040 Science Park Road
San Diego, CA 92121

171CPC1POA

COPY

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ASSIGNMENT

WHEREAS, We, Ernest G. Schutt, a citizen of the United States of America, residing at 12139 Ragweed Street, San Diego, California, 92129, Thomas E. Tarara, a citizen of the United States of America, residing at 3120 Felton Street, San Diego, California, 92104, Luis A. Dellamary, a citizen of Mexico, residing at 838 Redberry Court, San Marcos, California, 92069-1846, Alexey Kabalnov, a citizen of Russia, residing at 2900 Highland Drive, Corvallis, Oregon 97330, and Jeffry G. Weers, a citizen of the United States of America, residing at 12191 Salix Way, San Diego, California, 92129, have invented certain new and useful improvements in **Stabilized Preparations For Use In Nebulizers** for which we have filed an application for Letters Patent in the United States, Serial No. 09/218,213, Filed December 22, 1998;

AND WHEREAS, Alliance Pharmaceutical Corp. (hereinafter "ASSIGNEE"), a New York Corporation, with its principal place of business at 3040 Science Park Road, San Diego, California 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of Feb, 1999

Ernest G. Schutt
Ernest G. Schutt

STATE OF California .
COUNTY OF San Diego : ss.

On 11 Feb 99, before me, Diane L. Trus personally appeared Ernest G. Schutt, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Diane L. Trus
Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of Feb, 1999.

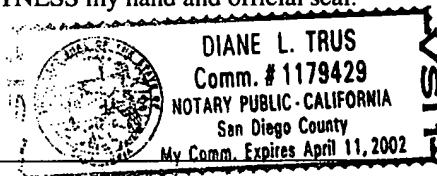
Thomas E. Tarara
Thomas E. Tarara

STATE OF California .
COUNTY OF San Diego . ss.

On 11 Feb 99, before me, Diane L Trus personally appeared Thomas E. Tarara, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Diane L Trus
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of Feb, 1999.

Luis A. Dellamary
Luis A. Dellamary

STATE OF California .
COUNTY OF San Diego . ss.

On 11 Feb 99, before me, Diane L Trus personally appeared Luis A. Dellamary, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Diane L Trus
Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11th day of Feb, 1999


Jeffrey G. Weers

STATE OF California .
COUNTY OF San Diego . ss.

On 11 Feb 99, before me, Diane L. Trus personally appeared Jeffrey G. Weers, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Diane L. Trus
Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2 day of February 99

Alexey Kabalnov
Alexey Kabalnov

STATE OF

Oregon

COUNTY OF

Benton

• ss.

Else Englen

On Feb 2, 1999, before me, Alexey Kabalnov personally appeared Alexey Kabalnov, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Else Englen
Signature



COPY